

McNamara Declaration
Exhibit 46
part 8



Dan Cohen

Vice Provost for
Information
Collaboration, Dean
of the Libraries, and
Professor of History,
Northeastern
University

Dan Cohen is vice provost for information collaboration, dean of the libraries, and professor of History at Northeastern University.

Prior to his work at Northeastern, Cohen was the founding executive director of the Digital Public Library of America (DPLA), where he worked to further the DPLA's mission to make the cultural and scientific heritage of humanity available, free of charge, to all.

At the DPLA, Cohen led Open E-books, a program with President Barack Obama and nonprofit partners that provides thousands of award-winning ebooks for free to millions of in-need children. At the Roy Rosenzweig Center for History and New Media, he oversaw projects ranging from PressForward to the September 11 Digital Archive to the popular Zotero research tool.

Cohen was an inaugural recipient, in 2006, of the American Council of Learned Societies' Digital Innovation Fellowship. In 2011, he received the Frederick G. Kilgour Award from the American Library Association, and in 2016 he was given the LITA/Library Hi Tech Award for Outstanding Communication for Continuing Education in Library and Information Science. In 2012, he was named one of the top "tech innovators" in academia by *The Chronicle of Higher Education*.

Cohen received his bachelor's degree from Princeton, a master's from Harvard, and his doctorate from Yale.



David Rosenthal

Chief Scientist,
 LOCKSS Program,
 Stanford University

Dr. David Rosenthal started the LOCKSS (Lots of Copies Keep Stuff Safe) Program, which enables long-term preservation of web published materials (ejournals, books, blogs, websites, archival materials, etc). He built and tested the initial prototype, developed the OpenBSD-based network appliance technology that LOCKSS peers used for the first five years of production, and was part of the research team that developed the award-winning fault- and attack-resistant peer-to-peer network technology that underlies the LOCKSS network. He currently works on economic models for long-term storage.

Rosenthal joined Sun Microsystems in 1985 from the Andrew project at Carnegie-Mellon University. He worked on window systems with James Gosling at Sun, and was part of the teams that developed both NeWS and the X Window System, now the open-source standard. He also worked on graphics hardware, the operating system kernel, and system and network administration.

Rosenthal left Sun in 1993 to be chief scientist and employee #4 at Nvidia, now the leading supplier of high-performance graphics chips for the PC industry. In 1996 he joined Vitria Technology, now a leading supplier of e-business infrastructure technology. There, he worked on reliable multicast protocols and on testing industrial-strength software. After starting the LOCKSS Program at Stanford with National Science Foundation funding, he brought his work on LOCKSS to Sun Labs from 1999 to 2002, before returning to Stanford Library in 2002 where he continues the work today.

Rosenthal received an MA degree from Trinity College, Cambridge and a PhD from Imperial College, London. He is the author of several technical publications and holds 23 patents. His interests include backpacking and the theater.



David Rumsey

Founder, David
Rumsey Map
Collection

David Rumsey is president of Cartography Associates, a digital publishing company based in San Francisco, and is chairman of Luna Imaging, a provider of enterprise software for online image collections. He was a founding member of Yale Research Associates in the Arts, also known as PULSA, a group of artists working with electronic technologies. He subsequently became associate director of the American Society for Eastern Arts in San Francisco.

Rumsey began building a collection of North and South American historical maps and related cartographic materials in 1980. His collection, with more than 150,000 maps, is one of the largest private map collections in the United States. In 1995, Rumsey launched the David Rumsey Historical Map Collection, www.davidrumsey.com. The free, public online website contains more than 30,000 high resolution images of maps.

In 2002, Rumsey was given an Honors Award from the Special Libraries Association for making his private map collection available to the public online. In the same year his map website won a Webby Award for Technical Achievement. The site has won numerous other web awards and has been featured in *Wired* magazine, *MIT Technology Review*, *Mercator's World* magazine, *San Francisco Chronicle*, *The New York Times*, and on TechTV.

Rumsey received his BA and MFA from Yale University where he was a lecturer at the Yale Art School. He has served on the boards of the John Carter Brown Library, the Internet Archive, The Long Now Foundation, the Stanford University Library Advisory Board, CLIR, the American Antiquarian Society, Yale Library Associates and the Samuel H. Kress Foundation.



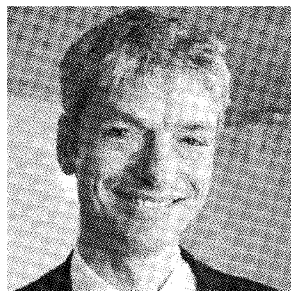
Geoff Harder

Associate University
 Librarian, Information
 Resources and
 Digital Initiatives,
 University of Alberta

Geoff Harder is the associate university librarian for digital initiatives at the University of Alberta. The University is dedicated to the promise made by founding president Henry Marshall Tory that "... knowledge shall not be the concern of scholars alone. The uplifting of the whole people shall be its final goal." To this end, Harder leads the strategic development of the University of Alberta Libraries' digital initiatives, positioning library services and collections to support broader, more open and improved forms of access and use. Harder and the teams he works with are known for their interest and commitment to developing digital library services to support emerging needs around research data management, repositories, and preservation. To further increase capacity in these areas, he is currently leading the planning and development of a new digital scholarship centre to open in 2018 on University of Alberta's main campus.

Harder contributes to the work of many data, preservation, and research organizations, including the Consortia for Advancing Standards in Research Administrative Data (CASRAI). He is on the Board of Directors for CLOCKSS, a not-for-profit joint venture between the world's leading academic publishers and research libraries whose mission is to build a sustainable, geographically distributed dark archive with which to ensure the long-term survival of web-based scholarly publications for the benefit of the greater global research community. Harder is also on the Advisory Committee for the Public Knowledge Project (PKP), a multi-university initiative developing (free) open source software and conducting research to improve the quality and reach of scholarly publishing.

Harder has been developing the partnership between the University of Alberta and the Internet Archive since 2008.



Gerald Beasley

Carl A. Kroch
 University Librarian,
 Cornell University

Gerald Beasley is the Carl A. Kroch university librarian at Cornell University, a position he accepted in 2017.

Prior to his work at Cornell, Beasley was vice-provost and chief librarian at the University of Alberta, where he oversaw the second largest academic research library and archives system in Canada, as well as the University of Alberta Press, bookstores, museum collections, copyright office and Technology Training Centre.

He is an elected member of the International Federation of Libraries and Institutions' (IFLA) Academic and Research Libraries Standing Committee; chair of the Canadian Association of Research Libraries' Policy Committee; and vice-chair of the Association of Research Libraries' Diversity and Inclusion Committee. His previous library experience includes leadership positions at the Canadian Centre for Architecture, Montreal; the Avery Architectural and Fine Arts Library, Columbia University, New York; and Concordia University, Montreal. He has also worked at the Royal Institute of British Architects and the Wellcome Institute for the History of Medicine in London, England.

Beasley is a graduate of Oxford University (MA, English Lang. & Lit.) and University College, London (MA, Library Studies). He is past-president of the Canadian Association of Research Libraries (2013-2015).


**Hannah Scates
Kettler**

Digital Humanities
Research &
Instruction Librarian,
University of Iowa

Hannah Scates Kettler is a digital humanities research & instruction librarian in the Digital Scholarship & Publishing Studio at the University of Iowa. She leads digital humanities projects from inception to preservation, managing the process of creation as well as providing research and development support. Her interests include issues raised by 3D creation and preservation, and she advocates for diverse representations in cultural heritage collections and digital humanities.

She is the founding member and current chair of the Digital Library Federation Cultural Assessment Interest Group, formed in February 2016 to discuss ways to assess how well digital collections represent, present, and allow for the discoverability of cultural artifacts. The Cultural Assessment group identifies institutional data and practices that may be relevant to understanding cultural assessment. Then, the group investigates underlying assumptions within these data and practices to help the community better understand the social structures that both influence cultural heritage collection work and result from it. The group strives to raise awareness of cultural bias and institutional blind spots, as well as recommend a set of data points to create more inclusive cultures within memory institutions.

Scates Kettler holds a BA from the University of Iowa in Anthropology with minors in Art History and Classics. She also holds a MA from King's College London in Digital Humanities, where she specialized in virtual cultural heritage.

**Jim Fruchterman**

Founder, Benetech

Jim Fruchterman is a social entrepreneur who has adapted the Silicon Valley technology approach to empower communities in need by creating scalable software to support social good solutions for accessible education, global literacy, and human rights. As a Caltech-trained engineer and veteran Silicon Valley tech entrepreneur, he was inspired to found Benetech when his venture capital investors vetoed a socially beneficial product idea.

Under Fruchterman's leadership, Benetech has created and scaled multiple software for social good enterprises and continues to develop and launch new software applications. Benetech's work in global education and literacy has transformed how a half million people with disabilities read and access information, delivered more than 10,000,000 accessible ebooks, and built an online collection of more than 500,000 titles.

Fruchterman is a MacArthur Fellow, a recipient of the Skoll Award for Social Entrepreneurship, the Outstanding Social Entrepreneur Award from the Schwab Foundation for Social Entrepreneurship, and the Migel Medal—the highest honor in the blindness field—from the American Foundation for the Blind. Fruchterman also provides thought leadership on software for social good by frequently working with technologists, for-profit companies, other nonprofits, and policy-makers to explore how software and data can better serve disadvantaged segments of humanity.

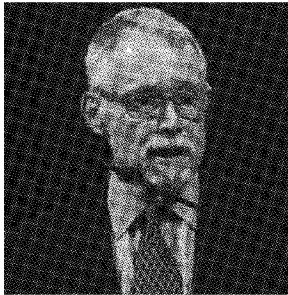
**Kyle K. Courtney**

Copyright Advisor,
Harvard University

Kyle K. Courtney, both lawyer and librarian, is the copyright advisor for Harvard University. Working out of the Office for Scholarly Communication, Courtney works to establish a culture of shared understanding of copyright law within the Harvard community and beyond. He also serves as copyright and information policy advisor for HarvardX/edX, and he continues to teach first year legal research sessions through Harvard Law School's Legal Research & Writing Program. The State Copyright Resource Center, part of Courtney's "Copyright First Responders" initiative, was profiled in *Library Journal* in 2013, and he was named a National Library Mover & Shaker in 2015.

Courtney co-founded Fair Use Week in 2014, which is now an international annual celebration sponsored by more than 140 universities, libraries, and other institutions. In 2016 he won a Knight Foundation grant to develop technology for crowdsourcing copyright and fair use assessments. He runs a copyright law consulting practice for libraries, higher education institutions, non-profit groups, and specialized archives. He has a dual appointment at Northeastern University as a faculty scholar for the Program on Human Rights and the Global Economy (PHRGE) at the School of Law and is in his tenth year of teaching "Cyberlaw: Privacy, Ethics, and Digital Rights" for the interdisciplinary Information Assurance Program at the College of Computer and Information Science. He holds a JD with distinction in Intellectual Property/High Technology Law and an MSLIS.

He is a published author and nationally recognized speaker on the topics of copyright, technology, libraries, and the law. His writing has appeared in *Politico*, *Slate*, *Library Journal*, and other publications. His most recent book is *MOOCs and Libraries in the 21st Century* (Rowman & Littlefield Ltd., 2015.)



Lawrence Wilkinson

Chairman, Heminge
& Condell

Lawrence Wilkinson is chairman of Heminge & Condell (H&C), an investment and strategic advisory firm, and co-founder of Global Business Network (GBN). Through H&C, Wilkinson is involved in venture formation work, and serves as a director and counselor to several companies that he helped create. At the same time, Wilkinson continues to offer strategic counsel to a number of organizational clients and governments around the world. Wilkinson is a widely consulted and cited authority on strategic issues; a frequent speaker in academic, industry, and corporate settings; and works with a variety of not-for-profit organizations.

In 1987, Wilkinson co-founded GBN, a strategic consulting firm, where he served as president through 1998 and helped pioneer the use of scenario planning for organizations. His clients have included Harvard University, Oxford University, University of California/UC Press, O'Reilly Media, Apple, Google, IBM, Intel, Microsoft, AT&T, Verizon, The Walt Disney Co, The Capital Group, The Coca-Cola Co., NPR, CPB, BBC, the World Bank, The World Trade Organization, the World Economic Forum, and the governments of the United States, the United Kingdom, Mongolia, and Singapore. Wilkinson has authored several of the GBN Scenario Books, led GBN's work on the Future of R&D, and has designed and directed or co-directed several of GBN's major meetings.

Wilkinson graduated with honors from Davidson College, Oxford University, and Harvard Business School. He is an advisor to The Dalai Lama Fellows Program and The Library of the Future Project at The Bodleian Library, Oxford, an advisor and Visitor at the Harvard University Library, and is a Fellow of the MIT Center for Transportation and Logistics.



Lisa Petrides

Founder and CEO,
 Institute for the Study
 of Knowledge
 Management in
 Education

Lisa Petrides, PhD is founder and CEO of the Institute for the Study of Knowledge Management in Education (ISKME), an independent, education nonprofit established in 2002, and a pioneer in knowledge sharing and innovation in the education sector.

Petrides is a scholar and international open educational resources (OER) expert who has helped lead the development of tools and strategies to create and support the field of open educational practice. Her work includes the creation of the award winning OER Commons, a digital public library of open educational resources. This collaboration platform enables users to discover and improve high-quality digital resources that are free, openly licensed, and available for a diverse range of learners. She has advised foreign governments and U.S. government agencies, states, schools, and colleges on implementing OER at all levels. ISKME also produces an international event dedicated to catalyzing education innovation, Big Ideas Fest.

A former professor in the Department of Organizational Leadership at Columbia University, Teachers College, her research has been at the forefront of understanding how education can be made relevant to learning through open access, social learning, information sharing, and knowledge collaboration.

Petrides has led development efforts that have enabled schools, colleges, universities, ministries of education, and support organizations to expand their capacity to collect and share information. She received an MBA from Sonoma State University, and a PhD in Education Policy from Stanford University.


Martha Kanter

Executive Director,
College Promise
Campaign

Dr. Martha Kanter leads the College Promise Campaign's national initiative to increase college access, affordability and completion in American higher education. She is also a senior fellow at New York University's Steinhardt Institute for Higher Education Policy. She specializes in policy efforts to identify innovative education interventions, financing models, and behavioral incentives at the local, state and national levels to raise America's high school and college graduation rates from two- and four-year colleges and universities. Her academic interests include: The Confluence of Access, Equity and Excellence; The Intersection of Policy and Politics in American Higher Education; and The Contributions of America's Community Colleges to the Nation's Social Fabric, Civic Future and Economy.

In 2009, President Barack Obama nominated Kanter to serve as the U.S. Under Secretary of Education, with oversight responsibility for all federal postsecondary statutory, regulatory, and administrative policies and programs for the U.S. Department of Education. From 2009-2013, Kanter and her team took bold steps to increase college access, affordability, quality, and completion to implement President Obama's goal to have the best educated, most competitive workforce in the world by 2020. She oversaw the successful implementation of the Direct Student Loan program that resulted in a 50-percent increase in college enrollment of low-income students, growing from six to more than nine million Pell Grant recipients. Previously, Kanter served as president of De Anza College and then chancellor of the Foothill-De Anza Community College District for sixteen years. She began her career as an alternative high school teacher. She holds a BA degree in Sociology from Brandeis University, an MEd from Harvard University, and an EdD from the University of San Francisco.

**Michelle M. Wu**

Associate Dean and
 Professor of Law,
 Georgetown
 University Law
 Center

Michelle M. Wu is the associate dean for library services and professor of law at Georgetown University Law Center. She has served in this role since 2010, mapping a strategic course for the management and use of legal information, as well as teaching in the areas of copyright and copyright licensing. She has also served as acting associate dean for administration and finance and acting head of human resources.

Prior to joining Georgetown, Wu worked for Hofstra University as associate dean for information services, professor of law, and interim senior vice dean for academic affairs. As part of the law school's leadership team, she served as a key player in strategic planning and helped to build the infrastructure necessary for a law school in a period of transition. Wu also served as the associate director and then acting law library director for the University of Houston Law Center.

Wu is a frequent speaker on library and information management and has written widely on these topics as well as copyright. Her publications include *Technology and Future Directions for Law Libraries*; *Building a Collaborative Digital Collection: A Necessary Evolution in Libraries*; *Collaborative Academic Library Digital Collections Post-Cambridge University Press, HathiTrust and Google Decisions on Fair Use*; and *Food for Thought: Should Libraries Partner with Nonlibrary Search Engine Providers for Their OPACs and Discovery Layers?*

Wu received her Bachelor of Arts degree in Psychology from the University of California, San Diego, her JD from California Western School of Law, and her MLibr. from the University of Washington.



Mike Furlough

Executive Director,
HathiTrust Digital
Library

Mike Furlough is executive director of HathiTrust, an organization dedicated to collecting and preserving the scholarly and cultural record. Furlough oversees the full suite of its programs and services, which include a trusted digital library holding more than 15 million digitized books, providing collections access for print disabled users, large-scale copyright research and investigation, innovative support for text and datamining, and the establishment of a distributed print archive among its members.

Prior to joining HathiTrust, Furlough was the associate dean for research and scholarly communications at the Pennsylvania State University Libraries, where he established new programs to ensure the preservation and curation of original scholarship as well as traditional collections. In his roles at the University of Virginia Library, Furlough developed and led digital scholarship services that supported researchers in the sciences, social sciences, and in the then-emerging field of digital humanities.

His research and publications have focused on how libraries and universities develop new organizational supports for changing scholarly communication practices. *Getting the Word Out: Academic Libraries as Scholarly Publishers*, which he co-edited with Maria Bonn, was published by the Association of College and Research Libraries in 2015. From 2011 to 2013, he was a member of the faculty of the E-Science Institute, sponsored by the Association of Research Libraries, the Digital Library Federation, and Duraspace. He sits on the board of directors of the Digital Preservation Network and is a member of The Future of the Print Record working group sponsored by the Modern Language Association and American Historical Association. Before he ran away to join the library, Furlough studied American Literature at the University of Virginia.

**Nirmita Narasimhan**

Policy Director,
 Centre for Internet
 and Society

Nirmita Narasimhan is a policy director with the Centre for Internet and Society, working in the areas of policy research and advocacy related to technology access for persons with disabilities. She was involved in drafting the Indian National Universal Electronic Accessibility Policy and also worked closely with different departments of the government of India to bring accessibility into their policies and programmes.

Narasimhan has authored several reports on accessibility that are being used by policymakers worldwide. She has also presented papers on Information and Communication Technologies and Accessibility at conferences such as the Internet Governance Forum (IGF) and is the director, global reports, for G3ict. She has also participated in the World Blind Union Treaty negotiations at the World Intellectual Property Organization.

Narasimhan has won several awards for her work, including the National Award for Empowerment of Persons with Disabilities, which she received from the president of India in December 2010. Her educational background includes degrees in Law, German and Music.



Pamela Samuelson

Richard M. Sherman
Distinguished
Professor of Law
and Information at
the University of
California, Berkeley

Pamela Samuelson is the Richard M. Sherman distinguished professor of law and information at the University of California, Berkeley. She is recognized as a pioneer in digital copyright law, intellectual property, cyberlaw, and information policy. Since 1996, she has held a joint appointment at Berkeley Law School and UC Berkeley's School of Information. Samuelson is a director of the Berkeley Center for Law & Technology, and she has written and published extensively in the areas of copyright, software protection and cyberlaw. She serves on the board of directors of the Electronic Frontier Foundation and the Electronic Privacy Information Center, as well as on the advisory boards for the Center for Democracy & Technology, Public Knowledge, and the Berkeley Center for New Media.

For more than 20 years, Samuelson has been a contributing editor of *Communications of the ACM*, a computing professionals journal respected for its coverage of existing and emerging technologies, for which she has written more than 60 "Legally Speaking" columns. From 1997 through 2002, Samuelson was a fellow of the John D. & Catherine T. MacArthur Foundation. She is also a fellow of the Association of Computing Machinery. The Anita Borg Institute honored Samuelson with its Women of Vision Award for Social Impact in 2005, and the public interest organization Public Knowledge awarded her its IP3 Award for her contributions to Internet law and policy in October 2010.

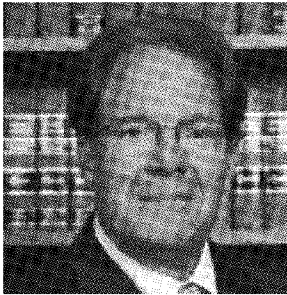
**Paula MacKinnon**

Interim Director,
Califa Group

Paula MacKinnon is interim director of Califa Group (califa.org), a nonprofit library consortium of more than 220 libraries, the largest library network in California. Founded in 2004, Califa manages statewide and national grant projects that benefit the library community; brokers library product and service agreements; advocates with publishers and vendors on behalf of libraries; operates the enki Library (enkilibrary.org) ebook platform, the first and only ebook platform to support library ebook ownership; and provides library Continuing Education and Professional Development training through the Infopeople project (infopeople.org).

In 2016, MacKinnon was awarded the California Library Association Technology Professional Award. Her recent projects include award-winning library services Discover & Go, a downloadable museum pass platform for California libraries; LiveChat, an eGovernment Customer Relationship Management service provided by the Library; enki Library, a California ebook platform that makes ebook ownership a reality for libraries; and Snap & Go, a smartphone application that uses QR codes to put library service, literally, into the hands of commuters.

MacKinnon holds a master's degree in Library Science from Dalhousie University, Canada.



Peter Jaszi

Emeritus Professor,
 American University,
 Washington College
 of Law

Peter Jaszi is an emeritus professor at American University Washington College of Law who writes and lectures about copyright law in historical and cultural contexts. At American, he was a founder of the Glushko-Samuelson Intellectual Property Law Clinic and the Program on Intellectual Property and Information Justice. Having served as a trustee of the Copyright Society of the U.S.A., Professor Jaszi remains a member of its journal editorial board.

With Craig Joyce, Marshall Leaffer and Tyler Ochoa, he co-authors a standard copyright textbook, *Copyright Law* (Lexis, 7th ed., 2006). Alone and with Martha Woodmansee, he has written several articles on copyright history and theory; together they edited *The Construction of Authorship*, published by Duke University Press.

In 1994, Professor Jaszi was a member of the Librarian of Congress' Advisory Commission on Copyright Registration and Deposit, and in 1995 he was an organizer of the Digital Future Coalition. In 2007, he received the American Library Association's L. Ray Patterson Copyright Award, and in 2009 the Intellectual Property Section of the District of Columbia Bar honored him as the year's Champion of Intellectual Property.

Since 2005, Professor Jaszi has been working with Professor Patricia Aufderheide of the American University's Center for Social Media on projects designed to promote the understanding of fair use by documentary filmmakers and other creators. In 2006-07, he led an interdisciplinary research team, funded by the Ford Foundation, which investigated the connections between intellectual law and the traditional arts in Indonesia. Professor Jaszi also serves as the Intellectual Property Scholar of the Center for Intellectual Property at the University of Maryland University College.



Susan Hildreth

Practitioner in
Residence, University
of Washington
Information School

Susan Hildreth is the inaugural, Gates-funded distinguished practitioner in residence (professor of practice) at the University of Washington Information School in Seattle. She recently stepped down as the executive director, Peninsula Library System, Pacific Library Partnership and the Califa Group. She also serves as an Aspen fellow in the Communications and Society Program at the Aspen Institute, advancing the work of the Dialogue on the Future of Public Libraries. In June 2016, she began a three-year term as the treasurer of the American Library Association.

She served as the director of the Institute of Museum and Library Services, a presidentially appointed, Senate confirmed position, from January 2011 through January 2015. Hildreth is the former city librarian of Seattle, where she managed the Seattle Public Library. Hildreth has also served as the state librarian of California, appointed by California Gov. Arnold Schwarzenegger. She also served as the city librarian of the San Francisco Public Library and in other leadership positions in California public libraries. She began her career as a branch librarian in the Edison Township, NJ, public library system.

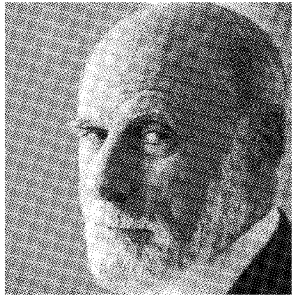
Hildreth graduated cum laude from Syracuse University and holds a master's degree in Library Science from the State University of New York at Albany and a master's degree in business from Rutgers University.

**Victoria Reich**

Executive Director,
LOCKSS Program,
Stanford University

Victoria Reich is executive director of the LOCKSS (Lots of Copies Keep Stuff Safe) Program, Stanford University Library. The LOCKSS Program empowers local and national communities to ensure perpetual access to a wide range of materials, including for-fee and open access books and journals. In a 2014 audit, the LOCKSS technology received the first ever perfect score in the “Technologies, Technical Infrastructure, Security” category.

Reich has extensive library experience, having held positions at Stanford University Libraries, the U.S. National Agricultural Library, the Library of Congress and the University of Michigan. She was also instrumental in founding the CLOCKSS Archive and HighWire Press.



Vint Cerf

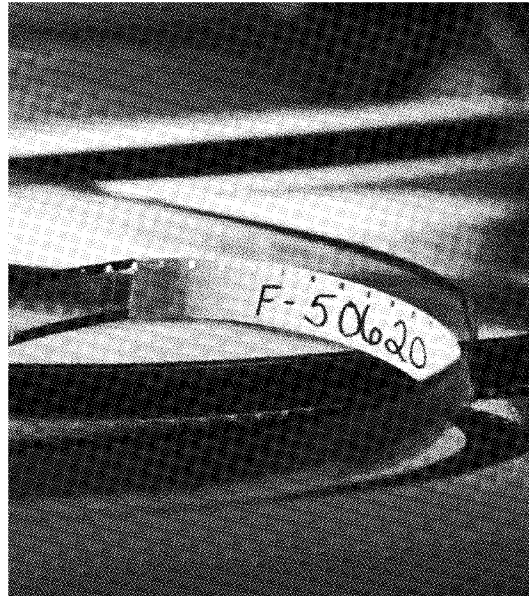
Vice President
and Chief Internet
Evangelist, Google

Vinton Gray Cerf is an American internet pioneer, who is recognized as one of “the fathers of the internet,” sharing this title with TCP/IP co-inventor Bob Kahn. His contributions have been acknowledged and lauded, repeatedly, with honorary degrees and awards that include the National Medal of Technology, the Turing Award, the Presidential Medal of Freedom, the Marconi Prize and membership in the National Academy of Engineering.

In the early days, Cerf was a manager for the United States’ Defense Advanced Research Projects Agency (DARPA), funding various groups to develop TCP/IP technology. When the Internet began to transition to a commercial opportunity during the late 1980s, Cerf moved to MCI where he was instrumental in the development of the first commercial email system (MCI Mail) connected to the Internet. In 2005 he left MCI to become vice president and “chief Internet evangelist” at Google Inc.

Cerf is active in many organizations that are working to help the internet deliver humanitarian value in our world today. He is supportive of innovative projects that are experimenting with new approaches to global problems, including the digital divide, the gender gap, and the changing nature of jobs.

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Internet Archive Proposal Bibliography

Footnotes – by section

A. Overview

Executive Summary

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Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled

<http://www.wipo.int/treaties/en/ip/marrakesh/>

Location for Proposed project

[1]

Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled

<http://www.wipo.int/treaties/en/ip/marrakesh/>

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B. Community Engagement

Stakeholder Identification

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[10]

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Organizational Capacity to Implement the Solution at Scale

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Financial Sustainability of the Proposed Solution

(no footnotes)

D. Monitoring, Evaluation, and Learning

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(no footnotes)

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Data Sources

(no footnotes)

Methodology

(no footnotes)

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Findings

(no footnotes)

Dissemination

(no footnotes)

E. ADDITIONAL INFORMATION

Detailed Budget Narrative

(no footnotes)

Detailed Budget

Income Statement

Project Risk Management

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University Press et al. v. Patton et al.

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[2] Section 121 of the US Copyright Act.

[3] Authors Guild, Inc. v. HathiTrust, 755 F. 3d 87 (2nd Cir. 2014)

[4] Authors Guild, Inc. v. HathiTrust, 755 F.3d 87 (2d Cir. 2014)

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[5] Authors Guild v. Google, Inc., 804 F.3d 202 (2d Cir. 2015)

[6] Authors Guild v. Google, Inc., 804 F.3d 202 (2d Cir. 2015)

[7] Section 121 in U.S. copyright law.

F. Financial

Financial Strength and Stability

(no footnotes)

G. Technical

Technical Explanation

[1]

17 U.S.C. §108 and 17 U.S.C. § 121.

[2]

“In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include— (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work.” 17 U.S.C. § 107.

[3]

See e.g., *Authors Guild, Inc. v. HathiTrust*, 755 F.3d 87 (2d Cir. 2014).

[4] The first sale right is codified, in part, at 17 U.S.C. § 109.

[5] See e.g., *Mattel Inc. v. Walking Mountains Prods.*, 353 F.3d 792, 803 (9th Cir. 2003), *Cambridge University Press v. Patton*, 769 F.3d at 1270.

[6] *Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. 569, 586 (1994).

[7]

For example:

- the creation of accessible versions of works for the print disabled in *Authors Guild, Inc. v. HathiTrust*, 755 F.3d 87, 98 (2d Cir. 2014); and
- time shifting and space shifting of entertainment content in *Sony Corp. of Am. v. Universal City Studios, Inc.*, 464 U.S. 417 (1984) and *Recording Industry Ass’n of Am. v. Diamond Multimedia Sys., Inc.*, 180 F.3d 1072, 1079 (9th Cir. 1999).
- reverse engineering of software to achieve interoperability in *Sega v. Accolade*, 977 F.2d 1510 (9th Cir. 1992), *Atari v. Nintendo*, 975 F.2d 832 (Fed. Cir. 1992), and *Sony v. Connectix*, 203 F.3d 596 (9th Cir. 2000);
- the operation of search engines in *Authors Guild, Inc. v. Google*, (2d Cir. 2015), *Authors Guild, Inc. v. HathiTrust*, 755 F.3d 87, 98 (2d Cir. 2014), *Kelly v. Arriba Soft*, 336 F.3d 811 (9th Cir. 2003), *Perfect 10 v. Amazon.com*, 508 F.3d 1146, 1166 (9th Cir. 2007), and *Field v. Google*, 412 F. Supp. 2d 1106 (D. Nev. 2006);
- the operation of plagiarism detection software in *A.V. v. iParadigms, LLC*, 562 F.3d 630 (4th Cir. 2009); and
- the recognition of images as historical artifacts in *Bill Graham Archives v. Dorling Kindersley Ltd.*, 448 F.3d 605 (2d Cir. 2006).

[8]

See e.g., *Campbell*, 510 U.S. at 591, *Bill Graham Archives*, 448 F.3d at 615; *New Era Publications*, *Mattel v. Pitt*

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Bobbs-Merrill Co. v. Straus, 210 U.S. 339 (1908).

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Kirtsaeng v. John Wiley & Sons, 133 S. Ct. (pick either U.S. or S. Ct. but don’t use both) 1351, 1371 (2013).

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17 U.S.C. § 109. For another example, the sale of a used book clearly cuts into sales of the original book, but this market harm is allowed under the first sale right.

[12]

Wu, Michelle M., Collaborative Academic Library Digital Collections Post-Cambridge University Press, HathiTrust and Google Decisions on Fair Use (2016). Journal of Copyright in Education and Librarianship, Volume 1, Issue 1. Available at SSRN: <https://ssrn.com/abstract=2838898>

[13]

Authors Guild v. Google, Inc., 804 F.3d 202 (2d Cir. 2015). (“If the [HathiTrust] library had created its own digital copy to enable [fair uses] the making of the digital copy would not have been infringement. Nor does it become an infringement because, instead of making its own digital copy, the library contracted with Google that Google would use its expertise and resources to make the digital conversion for the library’s benefit”).

Other

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